

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

12-mc-00115 (JSR)

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.
-----X

In re:

MADOFF SECURITIES
-----X

(Relates to consolidated proceedings on
Standing and SLUSA issues)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, pursuant to the Court's May 15, 2012 Order, and upon the accompanying memorandum of law, the Declaration of Andrew D. W. Cattell and the exhibits appended thereto, and all prior pleadings and proceedings herein, the defendants listed on Exhibit A hereto will move before the Honorable Jed S. Rakoff, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on October 15, 2012 at 4:00 p.m. for an order dismissing the common law claims asserted against them pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

PLEASE TAKE FURTHER NOTICE that, also pursuant to the Court's May 15, 2012 Order, answering papers, if any, must be filed on or before September 14, 2012 and served upon the counsel listed below.

PLEASE TAKE FURTHER NOTICE that, also pursuant to the Court's May 15, 2012 Order, notwithstanding Federal Rule of Civil Procedure 12(g)(2) or Federal Rule of Bankruptcy Procedure 7012, this motion is without prejudice to any other defense or right of any nature available to movants (including, without limitation, all defenses based on lack of personal jurisdiction or insufficient service of process) and shall not be deemed or construed to prevent movants from moving under Federal Rule of Civil Procedure 12 or Federal Rule of Bankruptcy Procedure 7012 subsequent to this motion.

Dated: August 3, 2012
New York, New York

SIMPSON THACHER & BARTLETT LLP

By: /s/ Mark G. Cunha

Mark G. Cunha
mcunha@stblaw.com
Peter E. Kazanoff
pkazanoff@stblaw.com
Andrew D. W. Cattell
acattell@stblaw.com
425 Lexington Avenue
New York, New York 10017
Tel: (212) 455-2000
Fax: (212) 455-2502

*Attorneys for Fairfield Greenwich Limited,
Fairfield Greenwich (Bermuda) Limited,
Fairfield Greenwich Advisors LLC, Fairfield
Heathcliff Capital LLC, Fairfield International
Managers, Inc., Fairfield Greenwich (UK)
Limited, Chester Management Cayman Limited,
Mark McKeefry, Daniel Lipton, Gordon
McKenzie, Richard Landsberger, Philip Toub,
Charles Murphy, Andrew Smith, Harold
Greisman, Lourdes Barreneche, Santiago Reyes,
Jacqueline Harary, and Corina Noel Piedrahita*

BERNFELD, DEMATTEO & BERNFELD, LLP BRUNE & RICHARD LLP

By: /s/ David Bernfeld

David Bernfeld
davidbernfeld@bernfelddematteo.com
600 Third Avenue, 15th Floor
New York, NY 10016
(212) 661-1661

Attorneys for Defendant Circle Partners

By: /s/ David Elbaum

David Elbaum
delbaum@bruneandrichard.com
One Battery Park Plaza
New York, NY 10004
(212) 668-1900

Attorneys for Defendant Kathryn R. Siggins

CHAFFETZ LINDSEY LLP

By: /s/ Peter R. Chaffetz

Peter R. Chaffetz
Peter.Chaffetz@chaffetzlindsey.com
Jennifer Gorskie
Jennifer.Gorskie@chaffetzlindsey.com
505 Fifth Avenue, 4th Floor
New York, NY 10017
(212) 257-6960

Attorneys for Kingate Management Limited

CLEARY GOTTlieb STEEN & HAMILTON
LLP

By: /s/ Lawrence B. Friedman

Lawrence B. Friedman
lfriedman@cgsh.com
Carmine D. Boccuzzi, Jr.
cboccuzzi@cgsh.com
Breon S. Peace
bpeace@cgsh.com
David Y. Livshiz
dlivshiz@cgsh.com
One Liberty Plaza
New York, New York 10006
(212) 225-2000

*Attorneys for Defendants Citi Hedge Fund
Services Ltd.; BNP Paribas Investment Partners
Luxembourg S.A., BGL BNP Paribas S.A., BNP
Paribas Securities Services S.A., and BNP
Paribas Arbitrage SNC*

COHEN & GRESSER LLP

By: /s/ Mark S. Cohen

Mark S. Cohen
mcohen@cohengresser.com
Daniel H. Tabak
dtabak@cohengresser.com
800 Third Avenue
New York, NY 10022
(212) 957-7600

Attorneys for Defendant Deborah Madoff

COOLEY LLP

By: /s/ Alan Levine

Alan Levine
alevine@cooley.com
Laura Grossfield Birger
lbirger@cooley.com
Nicholas Flath
nflath@cooley.com
The Grace Building
1114 Avenue of the Americas
New York, NY 10036
(212) 479-6000

Attorneys for Defendant Stephanie Mack

COVINGTON & BURLING LLP

By: /s/ Bruce A. Baird

Bruce A. Baird
bbaird@cov.com
1201 Pennsylvania Avenue, NW
Washington, DC 20004
(212) 662-6000

Attorneys for Defendant Gregory Bowes

CRAVATH, SWAINE & MOORE LLP

By: /s/ David Greenwald

David Greenwald
dgreenwald@cravath.com
Richard Levin
rlevin@cravath.com
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

Attorneys for M&B Capital Advisers Sociedad de Valores, S.A. and M&B Capital Advisers Gestion SGIC, S.A.

DECHERT LLP

By: /s/ Andrew J. Levander

Andrew J. Levander
andrew.levander@dechert.com
David S. Hoffner
david.hoffner@dechert.com
1095 Avenue of the Americas
New York, NY 10036
(212) 698-3500

Attorneys for Defendant Andres Piedrahita

DEBEVOISE & PLIMPTON LLP

By: /s/ Mark P. Goodman

Mark P. Goodman
mpgoodman@debevoise.com
919 Third Avenue
New York, NY 10022
(212) 909-6000

Attorneys for Defendant Amit Vijayvergiya

KASOWITZ BENSON TORRES & FRIEDMAN
LLP

By: /s/ Daniel J. Fetterman

Daniel J. Fetterman
dfetterman@kasowitz.com
1633 Broadway
New York, NY 10019
(212) 506-1700

Attorneys for Defendant Jeffrey Tucker

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Anthony L. Paccione

Anthony L. Paccione
anthony.paccione@kattenlaw.com
Brian L. Muldrew
brian.muldrew@kattenlaw.com
575 Madison Avenue
New York, NY 10022
(212) 940-8800

Attorneys for Defendant Leon Flax

KIRKLAND & ELLIS LLP

By: /s/ Jay P. Lefkowitz, P.C.

Jay P. Lefkowitz, P.C.
jay.lefkowitz@kirkland.com
Joseph Serino, Jr.
joseph.serino@kirkland.com
David S. Flugman
David.flugman@kirkland.com
601 Lexington Avenue
New York, NY 10022
(212) 446-4800

Attorneys for Defendants Redcrest Investments, Inc., Line Group Ltd., Line Management Services Ltd., and Line Holdings Ltd.

MORVILLO, ABRAMOWITZ, GRAND,
IASON, ANELLO & BOHRER, P.C.

By: /s/ Edward M. Spiro

Edward M. Spiro
espiro@maglaw.com
565 Fifth Avenue
New York, NY 10017
(212) 856-9600

Attorneys for Defendant Robert Blum

KLESTADT & WINTERS LLP

By: /s/ Tracy L. Klestadt

Tracy L. Klestadt
tklestadt@klestadt.com
Brendan M. Scott
bscott@klestadt.com
570 Seventh Avenue, 17th Floor
New York, NY 10018
(212) 972-3000

Attorneys for Defendants Defender Limited, Reliance Management (BVI) Limited, Reliance Management (Gibraltar) Limited, and Tim Brockman

O'SHEA PARTNERS LLP

By: /s/ Sean F. O'Shea

Sean F. O'Shea
soshea@osheapartners.com
Michael E. Petrella
mpetrella@osheapartners.com
521 Fifth Avenue, 25th Floor
New York, NY 10175
(212) 682-4426

Attorneys for Defendant Cornelis Boele

PAUL HASTINGS LLP

By: /s/ Jodi Kleinick

Jodi Kleinick
jodikleinick@paulhasting.com
Barry Sher
barrysher@paulhasting.com
Mor Wetzler
morwetzler@paulhasting.com
75 East 55th Street
New York, NY 10022
(212) 318-6600

*Attorneys for Defendants FIM Limited, FIM
Advisers LLP, Carlo Grosso and Federico
Ceretti*

SEWARD & KISSEL LLP

By: /s/ Mark J. Hyland

Mark J. Hyland
hyland@sewkis.com
Mandy DeRoche
deroche@sewkis.com
One Battery Park Plaza
New York, NY 10004
(212) 574-1200

*Attorneys for Defendants Reliance International
Research LLC and Justin Lowe*

TANNENBAUM HELPERN SYRACUSE &
HIRSCHTRITT LLP

By: /s/ Tammy P. Bieber

Tammy P. Bieber
bieber@thsh.com
900 Third Avenue
New York, NY 10022
(212) 508-6700

*Attorneys for Defendants Square One Fund Ltd.,
Luc D. Estenne, Square Asset Management Ltd.,
and Partners Advisers S.A.*

WHITE & CASE LLP

By: /s/ Glenn Kurtz

Glenn Kurtz
gkurtz@whitecase.com
Andrew Hammond
ahammond@whitecase.com
1155 Avenue of the Americas
New York, NY 10036
(212) 819-8200

Attorneys for Defendant Walter Noel

WOLLMUTH MAHER & DEUTSCH LLP

By: /s/ Frederick R. Kessler

Frederick R. Kessler
fkessler@wmd-law.com
Paul R. DeFilippo
pdefilippo@wmd-law.com
Michael P. Burke
mburke@wmd-law.com
500 Fifth Avenue
New York, NY 10110
(212) 382-3300

*Attorneys for Chester Global Strategy Fund
Limited, Chester Global Strategy Fund, LP,
Irongate Global Strategy Fund Limited, Fairfield
Greenwich Fund (Luxembourg), Fairfield
Investment Fund Limited, Fairfield Investors
(Euro) Ltd., and Stable Fund LP.*

EXHIBIT A

Case Name	Withdrawal Motion Docket Number	Adversary Proceeding Docket Number	Moving Defendants
<i>Picard v. Federico Ceretti, et al.</i>	11-cv-07134	09-1161	Federico Ceretti, Carlo Grosso, FIM Limited, FIM Advisers LLP, and Kingate Management Limited
<i>Picard v. Federico Ceretti, et al.</i>	11-cv-07256	09-1161	Citi Hedge Fund Services, Ltd.
<i>Picard v. Oreades Sicav, et al.</i>	11-cv-07763	10-5120	BNP Paribas Investment Partners Luxembourg S.A., BGL BNP Paribas S.A. and BNP Paribas Securities Services S.A.
<i>Picard v. Equity Trading Portfolio Ltd., et al.</i>	11-cv-07810	10-4457	BNP Paribas Arbitrage, SNC
<i>Picard v. Square One Fund Ltd., et al.</i>	12-cv-02490	10-4330	Partners Advisers S.A., Luc D. Estenne, Square Asset Management Ltd., Kathryn R. Siggins, and Square One Fund Ltd.
<i>Picard v. Fairfield Sentry Limited, et al.</i>	12-cv-02619	09-1239	Chester Global Strategy Fund Limited, Chester Global Strategy Fund, LP, Irongate Global Strategy Fund Limited, Fairfield Greenwich Fund (Luxembourg), Fairfield Investment Fund Limited, Fairfield Investors (Euro) Ltd., and Stable Fund LP
<i>Picard v. Fairfield Sentry Limited, et al.</i>	12-cv-02638	09-1239	Fairfield Greenwich Limited, Fairfield Greenwich (Bermuda) Limited, Fairfield Greenwich Advisors LLC, Fairfield Heathcliff Capital LLC, Fairfield International Managers, Inc., Fairfield Greenwich (UK) Limited, Chester Management Cayman Limited, Mark McKeefry, Daniel Lipton, Gordon McKenzie, Richard Landsberger, Philip Toub, Charles Murphy, Andrew Smith, Harold Greisman, Lourdes Barreneche, Santiago Reyes, Jacqueline Harary, and Corina Noel Piedrahita

<i>Picard v. Kohn, et al.</i>	12-cv-02661	10-5411	Redcrest Investments, Inc., Line Group Ltd., Line Management Services Ltd., and Line Holdings Ltd.
<i>Picard v. Peter B. Madoff, et al.</i>	12-cv-02752	09-1503	Deborah Madoff
<i>Picard v. Peter B. Madoff, et al.</i>	12-cv-02883	09-1503	Stephanie Mack
<i>Picard v. Defender Limited, et al.</i>	12-cv-02800	10-5229	Defender Limited, Reliance Management (BVI) Limited, Reliance Management (Gibraltar) Limited, and Tim Brockmann
<i>Picard v. UBS AG, et al.</i>	12-cv-02802	10-5311	Reliance Management (BVI) Limited and Reliance Management (Gibraltar) Limited
<i>Picard v. Defender Limited, et al.</i>	12-cv-02871	10-5229	Reliance International Research LLC and Justin Lowe
<i>Picard v. Leon Flax, et al.</i>	12-cv-02928	10-5267	Leon Flax
<i>Picard v. UBS AG, et al.</i>	12-cv-02483	10-5311	M&B Capital Advisers Sociedad De Valores, S.A. and M&B Capital Advisers Gestion SGIIC, S.A.